

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

SUSAN MASSEY and WILLIAM SCOTT)
MASSEY,)
)
Plaintiffs,)
)
v.)
)
DETECTIVE D.L. HESS; KATHLEEN)
OELSCHLEGEL, individually and as member)
of the Prince William County, Virginia Police)
Department; OFFICER JASON WAGON,)
individually and as an officer and employee of)
the Chattanooga Police Department; OFFICER)
CURTIS MORRIS, individually and as an)
officer and employee of the Chattanooga Police)
Department; OFFICER KEITH JENNINGS,)
individually and as an officer and employee)
of the Chattanooga Police Department; and)
CITY OF CHATTANOOGA, TENNESSEE,)
)
Defendants.)

No. 1:05-CV-249
Judge Curtis L. Collier

O R D E R

In accordance with the accompanying memorandum, the Court hereby **ORDERS** as follows:

- (1) Defendants D.L. Hess and Kathleen Oelschlegel's ("Defendants") motion to dismiss (Court File No. 35) is **DENIED**;
- (2) Plaintiffs Susan Massey and William Scott Massey ("Plaintiffs") **SHALL** effect service of process upon Defendants on or before **September 1, 2006**; and
- (3) The Court **RESERVES** the right to reconsider dismissal under Rule 4(m) if Plaintiffs fail to properly serve Defendants on or before September 1, 2006.

SO ORDERED.

ENTER:

/s/

CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE